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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,904	02/13/2004	Jun Hirai	248884US6	6087

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EXAMINER	
DEGA, MURALI K	

ART UNIT	PAPER NUMBER
4176	

NOTIFICATION DATE	DELIVERY MODE
06/11/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/777,904	HIRAI ET AL.	
	Examiner	Art Unit	
	MURALI K. DEGA	4176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) *None* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *13 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogino et al. (US 7,031,942), hereinafter referred to as Ogino.

3. With respect to claim 1:

4. Ogino discloses a contents copying management system configured by connecting a contents copying apparatus and a copying management device by way of a network:

- Medium identifying information acquiring means for acquiring medium identifying information specific to and characterizing a recorded-contents-carrying original recording medium (Abstract, col. 1, ll. 41-50 and col.2, ll. 28-42, where a recording medium is described).
- Apparatus identifying information acquiring means for acquiring apparatus identifying information specific to and indicating said contents copying apparatus itself (Abstract, col. 1, ll.15-21 and col. 18, ll. 21-34, where a copying or reproducing apparatus is described).

- Copying-related combination information transmitting means for transmitting said medium identifying information and said apparatus identifying information to said copying management device as copying-related combination information at the time of copying said contents (Abstract, col. 1, ll. 22-30 and 41053, where copy control information which is additive information being attached to main information signals that are digital signals from the CDs or DVDs, to be transmitted via network in order to prevent copying of contents).
- Receiving means for receiving copying authorizing information generated by said copying management device on the basis of said copying-related combination information at the time of accessing said copying management device (Col. 1, ll. 41-53 and col. 3, ll. 21-37, where copy generation management system is described which can represent whether copying is prohibited, whether one copy can be made or permit unrestricted copying).
- Control means for controlling the operation of copying said contents in response to said copying authorizing information (Abstract, figs. 1 & 10, col. 1, ll. 41-53, col. 2, ll. 19-21, col. 8, ll. 54-63, claims 1, 3, 5 and 14 where the function of a copy controller is exhaustively discussed in terms of permitting or prohibiting copying of content and notifying users in a positive manner).

- Copying management device comprising: memory means for registering and storing said copying-related combination information received from said contents copying apparatus in advance (Abstract, figs. 1 & 10, col. 1, ll. 22-53, col. 2, ll. 28-40, col. 6, ll. 30-40, col. 6, ll. 50-58, col. 7, ll. 8-26, col. 8, ll. 6-14, where the functions of a copy controller are discussed in terms of copy control information extraction, encrypted flag information, decryption using master key data stored, disc key data and title key data, and finally the copy controller either permitting the copying or prohibiting the copying).
- Copying authorizing information generating means for comparing said copying-related combination information received at the time of access by said contents copying apparatus with said copying-related combination information registered in said memory means in advance, judging agreement or disagreement of said combinations of medium identifying information and apparatus identifying information, generating copying authorizing information for authorizing an operation of copying the contents in response to agreement of said combinations but generating copying non-authorizing information for not authorizing any operation of copying the contents in response to disagreement of said combinations (Abstract, figs. 1 & 10, col. 1, ll. 22-53, col. 2, ll. 28-40, col. 6, ll. 30-40, col. 6, ll. 50-58, col. 7, ll. 8-26, col. 8, ll. 6-14, where the functions of a copy

controller are discussed in terms of copy control information extraction, encrypted flag information, decryption using master key data stored, disc key data and title key data, and finally the copy controller either permitting the copying or prohibiting the copying).

- copying authorizing information transmitting means for transmitting said copying authorizing information to said contents copying apparatus (Col. 1, ll. 41-53 and col. 3, ll. 21-37, where copy generation management system is described which can represent whether copying is prohibited, whether one copy can be made or permit unrestricted copying).

5. With respect to claim 2:

6. Ogino discloses controlling reproduction of said copied contents according to said copying authorizing information (Abstract, figs. 1 & 10, col. 1, ll. 41-53, col. 2, ll. 19-21, col. 8, ll. 54-63, claims 1, 3, 5 and 14 where the function of a copy controller is exhaustively discussed in terms of permitting or prohibiting copying of content and notifying users in a positive manner).

7. With respect to claim 3:

8. Ogino discloses medium identifying information is dispersion of the printing surface of said recorded-contents-carrying original recording medium produced at the time of printing, dispersion information of the signals on the recording surface of said recorded-contents-carrying original recording medium, the signals recorded on the recording surface or a combination of any of them (Col. 6, ll. 59-67, col. 12, ll. 8-26 and

col. 15, ll. 11-31, where to obtain a detection output, utilization of de-spreading process, PN code string, copy control information and copy control information being same as prior to performance of spreading process).

9. With respect to claim 4:

10. Ogino discloses controlling copying of said contents according to said copying authorizing information and displays a predetermined warning image on display means when copying is not authorized according to said copying authorizing information (Abstract, figs. 1 & 10, col. 1, ll. 41-53, col. 2, ll. 19-21, col. 8, ll. 54-63, claims 1, 3, 5 and 14 where the function of a copy controller is exhaustively discussed in terms of permitting or prohibiting copying of content and notifying users in a positive manner).

11. With respect to claim 5:

12. Ogino discloses memory that registers said medium identifying information according to the title of said contents on a title by title basis when registering and storing in advance said copying-related combination information received from said contents copying apparatus and said copying authorizing information generating means selects said medium identifying information to be compared according to said title when it compares said copying-related combination information received at the time of said access of said contents copying apparatus with said copying-related combination information registered in advance in said memory means (Col. 6, ll. 59-67, col. 12, ll. 8-26 and col. 15, ll. 11-31, where to obtain a detection output, utilization of de-spreading

process, PN code string, copy control information and copy control information being same as prior to performance of spreading process).

13. With respect to claim 6:

14. Ogino discloses control generating the contents to be copied, convoluting said medium identifying information and said apparatus identifying information into said contents, when copying said contents and controls reproduction of said copied contents by taking out the medium identifying information and the apparatus identifying information from said copied contents, transmitting the combined information to said copying management device by means of said copying-related combination information transmitting means and receiving said copying authorizing information generated by said copying management device on the basis of the combination of the medium identifying information and apparatus identifying information by the receiving means when reproducing said copied contents (Abstract, figs. 1 & 10, col. 1, ll. 41-53, col. 2, ll. 19-21, col. 8, ll. 54-63, claims 1, 3, 5 and 14 where the function of a copy controller is exhaustively discussed in terms of permitting or prohibiting copying of content and notifying users in a positive manner).

15. With respect to claim 7:

16. Ogino discloses control generating the contents to be copied, convoluting said medium identifying information and said apparatus identifying information into said contents and additionally stores the medium identifying information and the apparatus identifying information in said recording/reproducing apparatus when carrying out an

operation of copying said contents and it confirms if said copied contents are authorized to be copied according to the copying authorizing information obtained by taking out the medium identifying information and the apparatus identifying information, transmitting the combined information to said copying management device by means of said copying-related combination information transmitting means and receiving said copying authorizing information generated by said copying management device on the basis of the combination of the medium identifying information and apparatus identifying information by the receiving means when the copied contents ate not reproduced (Abstract, figs. 1 & 10, col. 1, ll. 41-53, col. 2, ll. 19-21, col. 8, ll. 54-63, claims 1, 3, 5 and 14 where the function of a copy controller is exhaustively discussed in terms of permitting or prohibiting copying of content and notifying users in a positive manner).

17. With respect to claim 8:

18. Ogino discloses control encoding the contents, using said apparatus identifying information as key, when carrying out an operation of copying said contents (Abstract, col. 2, ll. 28-42 and col. 3, ll. 3-20, where the functions of a copy controller are discussed in terms of copy control information extraction, encrypted flag information, decryption using master key data stored, disc key data and title key data, and finally the copy controller either permitting the copying or prohibiting the copying).

19. With respect to claim 9:

20. Ogino discloses copying management device:

- Receiving means for receiving medium identifying information specific to and characterizing a recorded-contents-carrying original recording medium and apparatus identifying information specific to and indicating a contents copying apparatus itself from said contents copying apparatus as copying-related combination information at the time of copying said contents by way of a network (Col. 1, ll. 41-53 and col. 3, ll. 21-37, where copy generation management system is described which can represent whether copying is prohibited, whether one copy can be made or permit unrestricted copying).
- Memory means for registering and storing said copying-related combination information received from said contents copying apparatus in advance (Abstract, figs. 1 & 10, col. 1, ll. 22-53, col. 2, ll. 28-40, col. 6, ll. 30-40, col. 6, ll. 50-58, col. 7, ll. 8-26, col. 8, ll. 6-14, where the functions of a copy controller are discussed in terms of copy control information extraction, encrypted flag information, decryption using master key data stored, disc key data and title key data, and finally the copy controller either permitting the copying or prohibiting the copying).
- Copying authorizing information generating means for comparing said copying-related combination information received at the time of access by said contents copying apparatus with said copying-related combination information registered in said memory means in advance, determining

agreement or disagreement of said combinations of medium identifying information and apparatus identifying information, generating copying authorizing information for authorizing an operation of copying the contents in response to agreement of said combinations but generating copying non-authorizing information for not authorizing any operation of copying the contents in response to disagreement of said combinations (Abstract, figs. 1 & 10, col. 1, ll. 22-53, col. 2, ll. 28-40, col. 6, ll. 30-40, col. 6, ll. 50-58, col. 7, ll. 8-26, col. 8, ll. 6-14, where the functions of a copy controller are discussed in terms of copy control information extraction, encrypted flag information, decryption using master key data stored, disc key data and title key data, and finally the copy controller either permitting the copying or prohibiting the copying).

- Copying authorizing information transmitting means for transmitting said copying authorizing information to said contents copying apparatus, wherein said copying management device controlling copying of said contents by said contents copying apparatus from said recorded-contents-carrying original recording medium according to said copying authorizing information with respect to each recorded-contents-carrying original recording medium (Col. 1, ll. 41-53 and col. 3, ll. 21-37, where copy generation management system is described which can represent whether

copying is prohibited, whether one copy can be made or permit unrestricted copying).

21. With respect to claim 10:

22. Ogino discloses copying management method"

- A copying-related combination information receiving step of receiving medium identifying information specific to and characterizing a recorded-contents-carrying original recording medium and apparatus identifying information specific to and indicating a contents copying apparatus itself from said contents copying apparatus as copying-related combination information at the time of copying said contents by way of a network (Col. 1, ll. 41-53 and col. 3, ll. 21-37, where copy generation management system is described which can represent whether copying is prohibited, whether one copy can be made or permit unrestricted copying).
- A storing step of registering and storing said copying-related combination information received from said contents copying apparatus in advance (Abstract, figs. 1 & 10, col. 1, ll. 22-53, col. 2, ll. 28-40, col. 6, ll. 30-40, col. 6, ll. 50-58, col. 7, ll. 8-26, col. 8, ll. 6-14, where the functions of a copy controller are discussed in terms of copy control information extraction, encrypted flag information, decryption using master key data stored, disc key data and title key data, and finally the copy controller either permitting the copying or prohibiting the copying).

- A copying authorizing information generating step of comparing said copying-related combination information received at the time of access by said contents copying apparatus with said copying-related combination information registered in said memory step in advance, determining agreement or disagreement of said combinations of medium identifying information and apparatus identifying information, generating copying authorizing information for authorizing an operation of copying the contents in response to agreement of said combinations but generating copying non-authorizing information for not authorizing any operation of copying the contents in response to disagreement of said combinations (Abstract, figs. 1 & 10, col. 1, ll. 22-53, col. 2, ll. 28-40, col. 6, ll. 30-40, col. 6, ll. 50-58, col. 7, ll. 8-26, col. 8, ll. 6-14, where the functions of a copy controller are discussed in terms of copy control information extraction, encrypted flag information, decryption using master key data stored, disc key data and title key data, and finally the copy controller either permitting the copying or prohibiting the copying).
- A copying authorizing information transmitting step of transmitting said copying authorizing information to said contents copying apparatus, wherein said copying management method controlling copying of said contents by said contents copying apparatus from said recorded-contents-carrying original recording medium according to said copying authorizing

information with respect to each recorded-contents-carrying original recording medium (Col. 1, ll. 41-53 and col. 3, ll. 21-37, where copy generation management system is described which can represent whether copying is prohibited, whether one copy can be made or permit unrestricted copying).

23. With respect to claim 11:

24. Ogino discloses contents copying apparatus:

- medium identifying information acquiring means for acquiring medium identifying information specific to and characterizing a recorded-contents-carrying original recording medium (Abstract, col. 1, ll. 41-50 and col.2, ll. 28-42, where a recording medium is described).
- An apparatus identifying information acquiring means for acquiring apparatus identifying information specific to and indicating said contents copying apparatus itself (Abstract, col. 1, ll.15-21 and col. 18, ll. 21-34, where a copying or reproducing apparatus is described).
- copying-related combination information transmitting means for transmitting said medium identifying information and said apparatus identifying information to a copying management device connected to it by way of a network as copying-related combination information at the time of copying said contents (Abstract, col. 1, ll. 22-30 and 41053, where copy control information which is additive information being attached to main

information signals that are digital signals from the CDs or DVDs, to be transmitted via network in order to prevent copying of contents).

- receiving means for receiving copying authorizing information generated after registration of said copying-related combination information by said copying management device by comparing said copying-related combination information transmitted at the time of a new access to said copying management device with said copying-related combination information registered in advance, and authorizing an operation of copying the contents in response to agreement of said combinations of medium identifying information and apparatus identifying information but not authorizing any operation of copying the contents in response to disagreement of said combinations from said copying management device (Col. 1, ll. 41-53 and col. 3, ll. 21-37, where copy generation management system is described which can represent whether copying is prohibited, whether one copy can be made or permit unrestricted copying).
- controlling the operation of copying according to said copying authorizing information (Abstract, figs. 1 & 10, col. 1, ll. 41-53, col. 2, ll. 19-21, col. 8, ll. 54-63, claims 1, 3, 5 and 14 where the function of a copy controller is exhaustively discussed in terms of permitting or prohibiting copying of content and notifying users in a positive manner).

25. With respect to claim 12:

26. Ogino discloses contents copying method:

- A medium identifying information acquiring step of acquiring medium identifying information specific to and characterizing a recorded-contents-carrying original recording medium (Abstract, col. 1, ll. 41-50 and col.2, ll. 28-42, where a recording medium is described).
- An apparatus identifying information acquiring step of acquiring apparatus identifying information specific to and indicating said contents copying apparatus itself (Abstract, col. 1, ll.15-21 and col. 18, ll. 21-34, where a copying or reproducing apparatus is described).
- A copying-related combination information transmitting step of transmitting said medium identifying information and said apparatus identifying information to a copying management device connected to it by way of a network as copying-related combination information at the time of copying said contents (Abstract, col. 1, ll. 22-30 and 41053, where copy control information which is additive information being attached to main information signals that are digital signals from the CDs or DVDs, to be transmitted via network in order to prevent copying of contents).
- A receiving step of receiving copying authorizing information generated after registration of said copying-related combination information by said copying management device by comparing said copying-related combination information transmitted at the time of a new access to said

copying management device with said copying-related combination information registered in advance, and authorizing an operation of copying the contents in response to agreement of said combinations of medium identifying information and apparatus identifying information but not authorizing any operation of copying the contents in response to disagreement of said combinations from said copying management device (Col. 1, ll. 41-53 and col. 3, ll. 21-37, where copy generation management system is described which can represent whether copying is prohibited, whether one copy can be made or permit unrestricted copying).

- A control step of controlling the operation of copying said contents according to said copying authorizing information (Abstract, figs. 1 & 10, col. 1, ll. 41-53, col. 2, ll. 19-21, col. 8, ll. 54-63, claims 1, 3, 5 and 14 where the function of a copy controller is exhaustively discussed in terms of permitting or prohibiting copying of content and notifying users in a positive manner).

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Hars et al. (US 7,302,575) – Preventing illegal copying of digital content
- Kambayashi et al. (US 2003/0050894) – Information reproduction system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MURALI K. DEGA whose telephone number is (571) 270-5394. The examiner can normally be reached Monday to Thursday 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/M. K. D./
Examiner, Art Unit 4176
May 21, 2008

/Gerald J. O'Connor/
Supervisory Patent Examiner
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